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GURU INC., FIND MY SPECIALIST, INC.,
SERIOUSNET, INC., RAVI K. LAHOTI, RAJ LAHOTI

9
10 **UNITED STATES DISTRICT COURT**

11 **CENTRAL DISTRICT OF CALIFORNIA**

12 TRAFFICSCHOOL.COM, INC., a
California Corporation; DRIVERS ED
13 DIRECT, LLC, a California limited
liability company,

14 Plaintiffs,

15 v.

16 EDRIVER, INC., ONLINE GURU,
17 INC., FIND MY SPECIALIST, INC.,
and SERIOUSNET, INC., California
18 corporations, RAVI K. LAHOTI, an
individual; RAJ LAHOTI, an individual;
19 DOES 1 through 10,

20 Defendants.

Case No: CV 06-7561 PA (CWx)

**DECLARATION OF
KATHRYN M.S. CATHERWOOD IN
SUPPORT OF DEFENDANTS'
COMMENTS TO JOINT
STATEMENTS ON FEES AND
COSTS IN SUPPORT OF
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES AND COSTS
AND DEFENDANTS' OPPOSITION
THERE TO**

Date: December 5, 2011

Time: 1:30 p.m.

Ctrm: 15

Judge: Honorable Percy Anderson

Complaint Filed: November 28, 2006

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24 I, Kathryn M.S. Catherwood, declare:

25 1. I am an attorney licensed to practice before all courts in the State of
26 California and before this Court. I am a partner at the law firm of Foley & Lardner
27 LLP, counsel of record for EDriver, Inc., Online Guru Inc., Find My Specialist,
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1 Inc., Seriousnet, Inc., Ravi K. Lahoti, Raj Lahoti, Defendants in this matter. I
 2 joined Foley & Lardner on September 1, 2011 and therefore, was not involved in
 3 this case prior to the filing of Plaintiffs' Motion for Attorneys Fees and Costs.
 4 However, my experience includes over 20 years of practicing before state and
 5 federal courts, including in bankruptcy court with extensive experience in
 6 reviewing and assessing reasonableness of fees and costs incurred in cases with
 7 statutory rights to attorneys fees. I have been involved in both preparing fee
 8 applications in bankruptcy court and objecting to fee applications by other
 9 professionals employed in bankruptcy cases. I have personal knowledge of the
 10 facts set forth herein and, if called upon to testify, could and would competently
 11 testify thereto.

12 2. Pursuant to this Court's In Chambers Order, Docket No. 320, this
 13 Court requested:

14 [D]efendants shall file no later than November 14, 2011, the Joint
 15 Statement on Fees with appropriate entries for the "Hours Defendants
 16 Believe Should Be Awarded" column and for the "Brief Summary of
 17 Defendants' Position (for each disputed item)" column, as well as the
 18 Joint Statement on Costs with appropriate entries for the "Amount
 19 Defendants Believe Should Be Awarded" column and for the "Brief
 20 Summary of Defendants' Position (for each disputed item)" column.

21 3. I began undertaking the task of reviewing the excel spreadsheet
 22 provided to my partner, Andrew Serwin, by Plaintiff's counsel even before the
 23 Court issued its order and believe that the Court will find my analysis helpful and
 24 instructive. Although Attorney Tammy Boggs of our office requested via e-mail
 25 that Attorney Hamilton provide us with the most recent version of the excel spread
 26 sheet. This request was declined. Therefore, I have reviewed what I believe to be
 27 the most recent version provided to us in excel format and in the event it differs
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1 from what was filed with the Court, I request an opportunity to respond to any
 2 inconsistencies in the two versions, although I understand that no changes were
 3 made after receiving Defendants' comments other than adding in Plaintiffs
 4 responses to such comments.

5 4. In reviewing the descriptions contained in Plaintiffs' excel spread
 6 sheet, I preliminarily note for the Court that there were several entries that did, in
 7 fact reference section 17200, et seq., including as follows:

8 "Review new California authority on B &P section 17204 re standing in
 9 California." (Doc. No. 315 at p. 237)

10 "Reviewed B. Daucher 'Proposal' re 17500 and discussed responses with D.
 11 DeCarlo." (Doc. No. 315 at p. 239)

12 "Research Attorney Fee Awards under private attorney general statute."
 13 (Doc. No. 315 at p. 306)

14 "Research Request for: Mina Hamilton. Request: Search for model jury
 15 instructions regarding false advertising in any Federal Court or CA State Court
 16 under Bus. & Prof. Code. . ." (Doc. No. 315 at p. 234)

17 Therefore it appears that the statement that it was impossible to allocate the time
 18 between non-Lanham Act and Lanham Act claims is not completely accurate. I
 19 also noted random time entries such as "client lunch" for 3.0 hours at \$780 (Doc.
 20 No. 315 at p. 299); "meeting with client at lunch (no charge)" for 1.5 hours at \$675
 21 (Doc. No. 315 at p. 349) that are not compensable at all, and the no charge to client
 22 is nonetheless included in the request before this Court.

23 Although extremely difficult and time consuming, and particularly given my
 24 lack of familiarity with the underlying litigation, I believe that my analysis
 25 contained in the Supplemental Joint Statement on Fees, filed concurrently
 26 herewith, will provide guidance to the Court, to the extent the Court believes that
 27 any fees or costs should be shifted to Defendants. I have attached to this
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1 declaration as Exhibit 1 the last page of each tab of the excel spread sheet
2 contained in the Supplemental Joint Statement on Fees which contains the total in
3 reduced hours and corresponding reduced fees proposed by Defendants taking into
4 account the proffered objections to each line item of time.

5 5. I also reviewed the Joint Statement on Costs and have provided
6 Defendants' position with respect to the requested costs on a Supplemental Joint
7 Statement on Costs filed concurrently herewith, a copy of the last page showing
8 the total reduced costs is attached hereto as Exhibit 2.

9 6. I have used codes to indicate a particular arguments and grounds for
10 objection in the column marked with the heading: "Brief summary of Defendants'
11 Position" as inserting the full arguments would have resulted in the Joint Statement
12 becoming overly cumbersome, I thus used shorthand with the complete arguments
13 set out below:

14 "A": This designation objects to the services because they appear to relate to
15 administrative tasks, clerical tasks or tasks that could have and should have
16 been done by someone of a lower billing rate than a partner. The fact that
17 there were a number of entries with this designation appears to support a
18 conclusion that little consideration was made as to whether a person at a
19 lower billing rate should have performed the task. Therefore, Defendants
20 request that this Court should consider this and deny any multiplier be added
21 to any lodestar calculation.

22 "B": This designation was used to indicate that the request for these costs appear
23 to have been submitted to this Court before in connection with Plaintiffs'
24 request for costs filed on September 10, 2008 (Doc. No. 217), including the
25 time incurred by the expert witnesses, Mr. Maronick, whose invoice was
26 attached to the prior cost statement. There is no explanation in
27 Ms. Hamilton's declaration that these were previously denied and based on a
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1 review of the order (Doc. No. 255) filed on September 25, 2008, it is not
2 clear which costs were approved and paid by Defendants and which were
3 denied. Therefore, without further explanation as to the why the expert's
4 time is reasonable, the Court should deny the request.

5 **"D":** This designation objects to services that were duplicative, including where it
6 appeared that there were several attorneys, sometimes several partners,
7 working on the very same issues. The fact that there were a number of
8 entries with this designation appears to support a conclusion that little
9 consideration was made as to whether a task truly required 3 or 4 partners
10 addressing the same issue. For example, in the tab for estimated fees for
11 preparing and responding to the fee request, there were several people listed
12 who would be working on the request. In my experience, a fee application is
13 not so complex as to require 3-4 partners spending time but that the bulk of
14 the work can and should be done by a paralegal at a much reduced rate.
15 Therefore, Defendants request that this Court should consider this and deny
16 any multiplier be added to any lodestar calculation.

17 **"E":** This designation objects to services that appear to be excessive in nature,
18 including charging for travel time, and taking too much time with multiple
19 reviewers on a particular document or spending too much time completing a
20 task.

21 **"H":** This designation attempts to address the requirement in the U.S. Supreme
22 Court case of Hensley v. Echerhart, 76 L.Ed. 2d 40 (1982) and the Ninth
23 Circuit cases relying on this case which states that the most critical factor in
24 determining reasonableness is the degree of success obtained. Considering
25 all factors, in this case I employed a partial "mathematical approach" in my
26 review given that Plaintiffs prosecuted two causes of action, one under the
27 Lanham Act (where Plaintiffs were found to have suffered no damages and
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1 the injunction was found by the Ninth Circuit to be a barrier to First
 2 Amendment protected content) and one under the California Business &
 3 Professions Code section 17200 (where Plaintiffs' claims were completely
 4 denied), by reducing the request by 50% given the limited degree of success
 5 as discussed in Defendants' Opposition to Plaintiffs' Motion for Attorneys'
 6 Fees and Costs. Given Plaintiffs' failure to make any effort to allocate, I
 7 have undertaken to allocate based upon the 50% reduction as I have seen
 8 done in published decisions, some of which I have cited in our brief filed
 9 concurrently herewith. Given the two causes of action, and the fact that
 10 Plaintiffs sought monetary damages on both causes of action and were
 11 denied such damages on both causes of action, a 50% reduction is generous.
 12 I base this assumption on the judgment that denied relief on the Second
 13 Cause of Action, this Court has already confirmed that the two causes of
 14 action did have different elements of proof justifying denying one and
 15 awarding an injunction on the other. I also base this upon, among other
 16 things, the fact that the pleadings, such as Plaintiffs' Memorandum of
 17 Contentions of Fact and Law were devoted approximately 50-50 to each
 18 cause of action.

19 **"L"**: This designation objects to services where the time is "lumped" together
 20 within the description itself and the description contains time that although
 21 may have related to compensable services, cannot be parsed out from the
 22 time devoted to non-compensable (e.g. Non Lanham Act or unsuccessful)
 23 claims. Therefore, the entire entry is tainted and all the time should be
 24 disallowed.

25 **"NL"**: This designation objects to services that appear to relate to Non-Lanham Act
 26 claims or unsuccessful claims where Plaintiffs' were not the prevailing
 27 party.
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1 “NP”: This designation objects to services that appear to relate to matters where
 2 Plaintiffs were not the prevailing parties. For example, Plaintiffs sought
 3 compensation for time spent on their post-judgment motion for contempt
 4 regarding the injunction. Plaintiffs lost this motion. Because the motion
 5 was brought after judgment, the cases relied upon by Plaintiffs in their brief
 6 at page 17 (Gates v. Deukmejian, 987 F.2d 1392(9th Cir. 1992)), that a
 7 litigant need not prevail on every claim, is not applicable because the case
 8 had concluded to judgment and this was a post trial motion to enforce, and
 9 was both unrelated to prosecuting the Lanham Act claim and unsuccessful.

10 “R”: This designation objects to time entries that contained redactions which
 11 prevent any analysis as to the reasonableness of the undisclosed work.
 12 Given Plaintiffs’ failed to make any effort to identify whether a particular
 13 entry related solely to a Lanham Act claim the Defendants request that the
 14 Court deny the time where the redactions render it impossible to determine
 15 reasonableness because it was Plaintiffs’ burden in its opening brief to
 16 establish sufficient facts to allow for a finding of reasonableness. It also
 17 appears that the redacted entries may relate to discussions that focused on
 18 Plaintiff’s pecuniary interests and efforts at personal gain which would not
 19 be compensable. The evidence before the court does not allow a person
 20 reviewing the descriptions to assess the reasonableness and therefore
 21 Defendants request the time be denied in full. Although this Court’s August
 22 Order did allow Plaintiffs to redact entries, they do this at their own risk if
 23 the redactions are so excessive as to gut the ability to determine
 24 reasonableness or the compensable nature of the time incurred.

25 “V”: This designation objects to time entries that are so vague (e.g. “conference
 26 with client”) that it is impossible to assess reasonableness or whether it
 27 relates to a Lanham Act or Non-Lanham Act claim or a successful claim
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1 where Plaintiffs can argue they were the prevailing party. Therefore,
 2 Defendants request that the time be denied in full.

3 **“no charge”**: This designation identifies entries that the Plaintiffs state they did
 4 not charge their client. Given that Plaintiffs redacted the last page of each
 5 invoice that presumably showed what they actually charged their clients, it is
 6 impossible to tell what was actually charged and Defendants request that the
 7 Court give the benefit to Defendants on this point and deny the attorneys’
 8 fees.

9 7. As seen on Exhibit 1, after discounting for non-Lanham Act services
 10 (R and H) the number of hours spent and rates charged for each “tab” in the Excel
 11 spreadsheet was as follows:

	<u>Reduced Fees</u>	<u>Reduced Hours</u>
12 Pleadings:	\$ 20,338.25	83.95
13 Discovery	\$62,301.00	235.40
14 Summary Judgment	\$37,946.75	160.35
15 Pre-Trial	\$54,899.25	225.85
16 Trial through Post Judgment	\$39,364.25	225.85
17 Contempt	\$0.00	0
18 Attorneys Fees	\$18,980.00	73
19 Joint Status Report	\$3,600.00	8
20 Total Fees	\$237,429.50	1012.4

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EXHIBIT 1

25162-14	6/9/2007	AEI	ESPINOZA, ANTONIA	AD	ANALYZED MAY MONTH-END FILE MONITOR REPORT FOR APPLICATION NO. 781777.105 FOR THE MARK "DMV.ORG" (REDACTED)	0.30	0	160.00	\$48.00	W	0		See Defendant's Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein.	\$0.00
25162-14	7/10/2007	MIH	HAMILTON, MINA I.	RV	REVIEWED CLIENT COMMENTS (REDACTED)	1.60	0	225.00	\$360.00	W	0		See Defendant's Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein.	\$0.00
25162-14	7/10/2007	MIH	HAMILTON, MINA I.	FN	FINALIZED EX PARTE APPLICATION TO ADD RAJ AND PROPOSED ORDER AND NOTICE, AND LODGED THIRD AMENDED COMPLAINT	1.20	0.60	225.00	\$270.00	W	0		See Defendant's Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein.	\$135.00
Total:							83.95						TOTAL REDUCED FEES:	\$0.00
TOTAL HOURS BILLED:														
TOTAL HOURS WRITTEN-OFF:						24.00								
TOTAL AMT. BILLED:														
TOTAL AMT. WRITTEN-OFF:									\$5,899.50					

Pleadings Tab

Client/ Matter	Date	Tkpr	Tkpr Name	Time Code	Description of Tasks re "Discovery"	Hours Requested by Plaintiffs (Actual Time Billed)	Hours Defendants Believe Should be Awarded	Actual Rates	Total Amount	Status (B = Billed; W = Written Off)	Invoice#	Brief Summary of Plaintiffs' Position (for each disputed item)	Brief Summary of Defendants' Position (for each disputed item)	Reduced Fees
25162-14	8/16/2007	DCD	DECARLO, DANIEL C.		PREPARE FOR NEGRONI AND JAVAL DEPOSITIONS.	0.80	0.40	260.00	208.00	W	0		See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$104.00
25162-14	8/22/2007	DCD	DECARLO, DANIEL C.		CONFERENCE WITH CLIENTS RE MEDIATION.	0.30	0.15	260.00	78.00	W	0		See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$39.00
25162-14	8/24/2007	MHH	HAMILTON, MINA L.	RV	REVIEWED MARKOWITZ DISCUSSIONS WITH DAVID AND SETTLEMENT ISSUES	0.30	0.15	225.00	67.50	W	0		See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$33.75
Total:							235.40							\$62,301.00
TOTAL HOURS BILLED:						35.80								
TOTAL AMT. BILLED:									7,536.50					
TOTAL HOURS WRITTEN-OFF:														
TOTAL AMT. WRITTEN-OFF:														

Discovery Tab

Client/ Matter	Date	Typr	Typr Name	Time Code	Description of Tasks re "Summary Judgment"	Hours Requested by Plaintiffs (Actual Time Billed)	Hours Defendants Believe Should be Awarded	Actual Rates	Total Amount	Status (B = Billed; W = Written Off)	Invoiced	Brief Summary of Plaintiffs' Position (for each disputed item)	Brief Summary of Defendants' Position (for each disputed item)	Reduced Fees
25162-14	8/30/2007	HL	LEE, ISAMU H.	DW	DISCUSSION WITH MINA HAMILTON RE: [REDACTED]	0.20	0	195.00	39.00	W	0		See Defendants' Comments to Joint Statement and Declaration of Andrew Serrin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$0.00
25162-14	8/31/2007	MH	HAMILTON, MINA I.	FW	FINALIZED REVIEWED (BRIEFLY) REPLY PAPERS FILED BY DEFENDANTS	0.40	0.20	225.00	90.00	W	0		See Defendants' Comments to Joint Statement and Declaration of Andrew Serrin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$45.00
25162-14	8/31/2007	HL	LEE, ISAMU H.	DW	DISCUSSION WITH MINA HAMILTON RE: [REDACTED]	0.10	0	195.00	19.50	W	0		See Defendants' Comments to Joint Statement and Declaration of Andrew Serrin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$0.00
					Total:		160.35							
					TOTAL HOURS BILLED:	463.10			114,592.50					
					TOTAL HOURS WRITTEN OFF:	18.50			3,527.50					
														337,946.75

Summary Judgment Tab

Client/Matter	Date	Typr	Typr Name	Time Code	Description of "Pre-Trial" Tasks	Hours Requested by Plaintiff (Actual Time Billed)	Hours Defendants Believe Should be Awarded	Actual Rates	Total Amount	Status [B = Billed; W = Written Off]	Invoice#	Brief Summary of Plaintiff's Position (for each disputed item)	Brief Summary of Defendant's Position (for each disputed item)	Reduced Fees
25162-14	11/5/2007	RJB1	BRUYERE, RONALD J	TR	TRAVEL TO LOS ANGELES FOR THE TRIAL	2.20	0	110.00	242.00	W	0		See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$0.00
25162-14	11/5/2007	RJB1	BRUYERE, RONALD J	PD	PREPARED ADDITIONAL EXHIBITS FOR USE IN TRIAL	5.20	2.60	110.00	572.00	W	0		See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$286.00
25162-14	11/5/2007	MH1	HAMILTON, MINA L	MW	MEETING WITH RON B. (TRIAL IT SUPPORT) (REDACTED)	1.30	0	200.00	338.00	W	0		See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$0.00
Total:							225.85							\$54,899.25
TOTAL HOURS BILLED:						590.90			157,388.00					
TOTAL HOURS WRITTEN-OFF:						65.90			10,853.00					

Pre-Trial Tab

Client/ Matter	Date	Type	Type Name	Time Code	Description of Tasks or "Tria"	Hours Requested by Plaintiff (Actual Time Billed)	Hours Defendants Believe Should be Awarded	Actual Rates	Total Amount	Status (B = Billed; W = Written Off)	Invoiced	Brief Summary of Plaintiff's Position (for each disputed item)	Brief Summary of Defendants' Position (for each disputed item)	Reduced Fees
25182-14	1/16/2008	POG	GREENSPAN, PAULA C	TF	TELEPHONE CALL FROM DAN DECARLO RE [REDACTED]	0.20	0	260.00	52.00	W	0	See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$0.00
25182-14	5/8/2008	DNM	MAKOUS, DAVID N.	NC	NO CHARGE (NO CHARGE) DETAILED TELEPHONE CONFERENCE WITH ERIC CREDITOR REGARDING [REDACTED]	1.10	0	-	-	W	0	R. V. NL See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$0.00
25182-14	10/6/2008	MH	HAMILTON, MINA L.	RE	REVISED OPPOSITION TO MOTION FOR STAY [REDACTED]	0.50	0.50	260.00	130.00	W	0	V. R. no charge See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$130.00
25182-14	10/6/2008	MH	HAMILTON, MINA L.	RV	REVIEWED INITIAL NOTICE 10-3, 1(A)	0.20	0.10	260.00	52.00	W	0	See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$26.00
					Total:		149.10							\$19,364.25
					TOTAL HOURS BILLED:	467.50			131,738.50					
					TOTAL HOURS WRITTEN-OFF:	19.10			2,825.00					

Trial Tab

Client/Matter	Date	Typ	Typ Name	Time Code	Description of Tasks re "Contempt"	Hours Requested by Plaintiffs (Actual Time Billed)	Hours Defendants Believe Should be Awarded	Actual Rates	Total Amount	Status [B = Billed; W = Written Off]	Invoice#	Brief Summary of Plaintiffs' Position (for each disputed item)	Brief Summary of Defendants' Position (for each disputed item)	Reduced Fees
25162-14	1/28/2009	DRL	LEWIS, DANIEL R.	RV	REVIEWED REPLY TO DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR CONTEMPT FILED ON TUESDAY	0.80	0	180.00	\$108.00	W	0	See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	NP	\$0
25162-14	1/29/2009	MIH	HAMILTON, MINA I.	RV	REVIEWED EMAIL FROM JUDGE'S CLERK RE: TAKING HEARING OFF CALENDAR [REDACTED]	0.10	0	260.00	\$26.00	W	0	See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	NP, R, V	\$0
					Total:		0.00							\$0.00
					TOTAL HOURS BILLED:	143.70			38,902.00					
					TOTAL HOURS WRITTEN OFF:	27.90			7,622.00					

Contempt Tab

Client/ Matter	Date	Trkr	Description of Tasks re "Attorney's Fees Motion"	Hours Requested by Plaintiffs (Estimated, at Minimum)	Hours Defendants Believe Should be Awarded	Actual Rates	Total Amount	Brief Summary of Plaintiffs' Position (for each disputed item)	Brief Summary of Defendants' Position (for each disputed item)	Reduced Fees
	Oct-11	Josephine A. Brosas	Preparation of Reply in Support of Motion for Attorney's Fees pursuant to District Court's 8-24 Minute Order	25	0	235	\$5,875		See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$0
									ED	
25102-14	Nov-11	David N. Makous	Preparation for and attend hearing on Motion for Attorney's Fees	10	0	450	\$4,500		See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$0
	Nov-11	Mina I. Hamilton	Preparation for and attend hearing on Motion for Attorney's Fees	10	3	260	\$2,600		ED See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein	\$780
									E	
			Total:	210	73		\$61,125 [estimated]			\$18,980

Attorney Fees Tab

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EXHIBIT 2

Date	Description	Units	Rate	Amount	Invoice No.	Amount Defendants Believe Should be Awarded	Brief Summary of Plaintiffs' Position (for each disputed item)	Brief Summary of Defendants' Position (for each disputed item)
	Professional Services (Dr. Maronick - Invoice 2)			\$34,553.00		\$0.00		See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein
	TOTAL:			\$65,001.44		\$29.85		V, NL, B

Costs